

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

SYLVESTER CLERK

PLAINTIFF

v.

NO. 2:05CV147-P-D

**BOLIVAR COUNTY REGIONAL
CORRECTIONAL FACILITY, ET AL.**

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated June 19, 2006, and the June 26, 2006, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated June 19, 2006, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the instant case is hereby **DISMISSED** for failure to exhaust administrative remedies.

3. That in light of this ruling, any motions currently pending in this action are hereby **DISMISSED** as moot.

4. That this case is **CLOSED**.

THIS, the 31st day of October, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE